

THE
CHICAGO TRIBUNE

— AS —

A LIBELER OF MEN,

— A —

DEFAMER OF WOMEN,

— AND —

A MENACER OF COURTS AND JURIES.

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TO THE PUBLIC.

My fellow citizens will pardon me, perhaps, for making a few brief statements as a partial defence of my own reputation.

And I will state here, that this is the only available method I have of reaching your attention; I cannot gain access to you by the ordinary channel through the newspapers of the country, for the simple reason, it is from that source that I have been wantonly attacked, and am still vindictively pursued. I am shut out from their columns, not perhaps on account of any dislike they bear me, but simply upon general principles of comity which exist between the editors of newspapers. A libel suit against any one of them is regarded as an attack upon their exclusive privileges, and an effort upon your part to abridge the liberties of free speech, and you are at once estopped from the ordinary means of self-defence. Hence, I resort to this method to defend myself as far as my pecuniary ability will permit. I do not, nor can I expect to reach the attention of hardly one in a thousand. The calumny and ignominy that the "*Tribune*" has heaped upon my name and character outside of this city, I cannot expect to remove, but must continue to suffer from its effects until the memory of those who read it shall fade out with age and infirmity. I have been a resident of the city of Chicago for nearly thirty-one years, and I shall be content to refer to those who have known me during these past years most intimately, and in a business capacity, for my character as a citizen.

Sometime in the fall of 1867, there appeared in the "*Chicago Republican*" an article headed "SCANDALUM MAGNATUM," in which was set forth a tissue of scandalous



falsehoods, charging me with criminal intimacy with a Mrs. Wilkinson. The whole article was portrayed in the most offensive manner, and designed and calculated to disgrace me in the estimation of all good people.

This article, I am told by Mr. Balantine, one of the editors of the *Republican*, was written by a fellow by the name of Sam. Medill, who was then in the employ of the company, and is a brother of Mr. Joseph Medill, one of the present editors of the "*Chicago Tribune*." Upon the appearance of the article, I at once instructed my attorneys to commence suit against that paper for libel, at the same time, and before 12 o'clock the same day, I addressed a note to each of the papers in the city, calling their attention to the slanderous article in the *Republican*, and saying to them that it was false and libellous.

Mr. Driscoll, one of my attorneys, delivered, in person, one of these notices to the *Tribune* office. I also, personally, saw Mr. Medill, one of the editors, and related to him the facts. The *Tribune* company did not even give me the benefit of publishing my card, but on the contrary, after the lapse of nearly a week, they published what they represented to be the evidence and proceedings of a "*court investigation*," reproducing in a more offensive manner, if possible, the slander, and distorting the evidence and facts to suit the measure of their own malice.

I at once commenced suit against the *Tribune* company, and they had notice of the fact the same day of the publication of the article. On the next morning, (*after they had been prosecuted*,) they published what they term a retraction.

Now, up to this time, the facts were these :

1st. They were notified by my card of the falsity of the slander, which they refused to publish, or did not publish.

2d. I personally told Mr. Medill that the whole thing, so far as the slanderous portion of it was concerned, was false.

3d. They then publish, after all these notices, both written and verbal, the scandalous article, saying that it was "*revealed at the examination*." Read the *article*, then the "*retraction* :"

"SCANDAL AND TURMOIL—A WIFE BREAKING IN ON HER HUSBAND'S DEVOTIONS—THE AFFRAY CARRIED INTO THE POLICE COURT.—A scandalous affair was yesterday partially ventilated in the Police Court. The particulars were revealed at the examination of A. C. Ellithorpe, his wife, and Mrs. Emma Wilkinson, on the charge of disorderly conduct. Mr. Ellithorpe is a real estate agent, doing quite an extensive business in this city. He occupies, with his family, a house in the West Division. Mr. Ellithorpe has had charge of a portion of the building No. 277 Randolph street, and the collection of the rents. In the discharge of his duties he became acquainted with Mrs. Wilkinson, who occupied the second floor. His acquaintance ripened into intimacy, and he became in the habit of making frequent visits to Mrs. Wilkinson's. By some means or other his wife was made acquainted with the facts. Her suspicions were at once aroused, and she decided to inquire further into the matter. On Thursday evening last she noticed that her husband arrayed himself in his best garments, and made an elaborate toilet before going out. As soon as he had left the house, she put on her bonnet and shawl and followed him. His steps led him to No. 277 Randolph street, where he ascended the stairs and disappeared within. The jealous wife succeeded in effecting admission to the building adjoining, and from there she proceeded along a verandah in front of No. 277. Peering through the window into the darkened room she beheld her husband in the arms of another woman. Mrs. Ellithorpe rushed into the room, and in a frenzy of rage, seized the woman, to whom she administered a severe beating. The noise attracted the attention of a policeman in the vicinity, who appeared on the scene in time to take the trio into custody. They were placed under bonds to appear for examination yesterday. In the meantime, Ellithorpe succeeded in appeasing the anger of his wife, so that yesterday the charge of disorderly conduct alone was preferred against Ellithorpe, his wife and Mrs. Wilkinson. Mrs. Ellithorpe was fined \$10, and the woman Wilkinson and Mr. Ellithorpe were discharged."

You will bear in mind, this so-termed retraction, was not published until I had commenced my suit against them for libel.

"THE ELLITHORPE CASE.—In a report of an examination in the Police Court on Wednesday, where Mr. A. C. Ellithorpe appeared as defendant in a charge of disorderly conduct, as published in THE TRIBUNE yesterday, it was stated that Mr. Ellithorpe was seen in the arms of another woman than his wife. There was no evidence to substantiate this charge given upon the trial of the case. On the contrary, the only testimony given, went to establish the conclusion that Mr. Ellithorpe visited Mrs. Wilkinson on lawful and proper business. We make this correction in justice to the parties whose names appeared in the report. It may not be improper to add that the foreman of THE TRIBUNE composing room was directed not to insert any portion of the scandalous matter referred to, but that the order was forgotten in the haste of 'making up,' at 4 o'clock in the morning."

Now, what do they do? After charging me with all these things, then saying that, *after all*, they found that they were *false*, they then spread upon the Court records a "*plea of justification*," and again reiterate all the charges against me, in order to defend themselves against a suit for damages, brought by Mrs. Wilkinson, repeating each charge specifically, and saying that they are all true.

Let us now follow up the policy and course this paper has pursued, commencing December 23d, 1868:

I have simply occupied the position of a witness in the case of "*Mrs. Wilkinson v. The Tribune Company*," yet they have taken great pains to impress the community with the idea that I am really the principal in the case, and while they have not slighted Mrs. Wilkinson in their efforts to destroy her, they have been extremely devoted to the object of my destruction. All their efforts have thus far been participated in by unscrupulous counsel, who are now industriously *laying wires and bottling up thunder*, to be used whenever my case against the Tribune Company shall come up for trial.

I am fully aware that I shall labor under great disadvantages, for I have no means of vindication from time to time before the people, other than what I may see fit to promulgate at my own expense, and in my own way. It cannot be expected that I possess the power to answer and refute the hundreds of false impressions that they are able to promulgate daily, without any real expense to themselves; but I will endeavor to show the *animus* of these men, not only towards myself, but towards every person against whom they chance to have a malice. However unfortunate I have been, or may be, with regard to some of my domestic affairs, I claim that they are matters belonging exclusively to me and my family; and it ill becomes *Mr. Medill*, one of the editors of the TRIBUNE, to *subvert or persuade* to his villainous uses one portion of my family for the purpose of destroying the other portion, *however willing they may be to lend themselves to such unnatural and revolting purposes*.

One would naturally suppose, from the direct examination of their *principal* witness, that their main object was to prematurely convict me in order that they might have a "*stock on hand*" for future use. One job at a time gentlemen, and they will last the longer.

The recent trial of the libel case against the Chicago Tribune Company has elicited great interest throughout the country, and from almost every class and condition of society.

The points raised, and the questions involved in the case, assume a degree of importance that is of vital interest to every member of society. While all intelligent persons are ready to accord to every profession, all the privileges necessary to the proper conduct of their business, they, at the same time, are not willing to surrender to any one particular class or profession, privileges that would tend to injure

and oppress the balance of the community; but each individual must be held responsible to the law and to society for his own acts and the proper conduct of his profession. The law grants no privileges to any one person more than to another, nor does the economy of our institutions warrant any assumption of power or exclusive liberties to any citizen on account of his peculiar calling or profession, but all are equally citizens, responsible to one another, and all alike bound by the law. Were our society organized upon any other principles than these, it is obvious that it could not exist in peace, but confusion, oppression and anarchy would be the order. The whole history of our country goes clearly to prove, that wherever individuals, societies, corporations, communities or States have claimed exclusive privileges, it has been the signal of trouble and contention, and the solution of all these questions have only been reached, by returning to and enforcing our original declaration of—"Equal rights to all, and usurpation over none." In this great declaration is centered the "law and the gospel" of our republican form of government.

The assumptions of the Chicago Tribune are but a repetition of that lordly and unyielding arrogance, that always follows in the wake of suddenly accumulated and unmerited wealth. It is only another instance to forcibly remind us, that wealth in the hands of narrow-minded and vicious men, is not only lamentable, but absolutely dangerous to the moral and social interests of any community. It is to be regretted that men, through the influence of some mysterious agency, frequently mistake their calling. In this case the *editors* of the Tribune Company furnish us a striking illustration.

The people will not fail to discover that, throughout the recent trial, the "*Head Lines*" of the Tribune; from day to day, have painted their side of the question in the most

glowing color, and the other side they have portrayed in the most vicious manner.

Here are a few specimens lampooning the plaintiff and witnesses:

"SOMETHING FOR NOTHING."

"The Mrs. Wilkinson—Ellithorpe Libel Suit.."

"Ellithorpe Insists Upon His Alienable Rights to be Put in a Cell."

"ELLITHORPE BORROWS TWO CIGARS AND DEPARTS."

"Swears He Has Seen Mrs. Wilkinson on Divers Occasions, with Good Intent Each Time"

"MRS. WILKINSON DESCRIBED BY THE NEIGHBORS AS 'ELLI-THORPE'S WOMAN.'"

"Plaintiff's Son Called Her a Courtezan * * * Etc.—Why the Boy was Locked Out.—A Man in a Woman's Bed-Room."

"Codfish Not Usually Found on Sale in Hardware Stores—Virtuous Women Not Visited Clandestinely By Miscellaneous Males At Midnight."

"A Police Officer Swears He Saw Mrs. Wilkinson Come Down Stairs With Numerous Nocturnal Visitors and Embrace and Kiss Them at Parting."

"He Dispersed One Midnight Meeting of the Lingering Lotharios."

"The Police Regard the Premises as Disreputable."

"The Seventh Chapter of Proverbs—Of the Wiles of an Harlot."

"SO SHE CAUGHT HIM AND KISSED HIM."

"With Flattering of Her Lips She Forced Him."

"THE INTELLIGENT JURY."

This is but a small portion of the malignant, indecent, and villainous "head lines." Let me ask, in all candor, if you can imagine anything so low-bred and scurrilous, so unfit to head the columns of a public journal that pretends to even ordinary respectability. Even those clandestine, filthy sheets that occasionally appear from some secret, vicious quarter, are hunted down and suppressed for far less indecent matter. Yet this ostentatious and arrogant concern defiantly traduces you wherever and whenever they please.

In the present case, they have not been willing to simply publish the court proceedings with a fair version of the testimony, but have resorted to the most unblushing misrepresentations and falsehoods, caricaturing in an offensive and indecent manner every person not immediately in their interest.

Here is a specimen of their vicious lampooning :

MR. ELLITHORPE.

He stands about the average height of men. The head is not very remarkable, though it hangs heavy behind. The face is not unpleasant, and the lower jaw is shrouded in sandy-colored beard and moustache. The mouth, partially hidden by the strong, wiry hair, has lines that are eloquent of tales that need not be told. Of noses, he got a large one when they were going. It has a hump in the middle like a camel's back. On either side are the eyes of a fishy gray color, deep set and protected by shaggy eyebrows. The cheek bones stand out at an obtuse angle to the perpendicular; the forehead is round, and the thick, brown hair, brushed back, makes the head somewhat like a mop. Mr. Ellithorpe has the look of one who is overflowing with gallantry and devotion to the weaker sex. When he came upon the stand he was accompanied by a silver-mounted cane, which he used to great advantage during the examination. With it he chastised both his legs, giving them about an equal amount of punishment. He was nervous, ill at ease, and tried to expend his anxiety upon his legs. He was uncomfortable under the eyes of Mrs. Wilkinson, and turned round and round in his chair to escape them, but they followed him as

inexorably as Nemesis. He tried to show a calm demeanor and unruffled front, but could not do it. He chewed tobacco, and expectorated vigorously. When closely pressed he bandied words with the counsel, but always came out second best. Toward the close he lost his temper, and did not recover it until he was sent off the stand.

The jury are termed a "VENAL," "MALICIOUS," "BESOTTED" set of men. The judge is menaced, and given to understand that unless he *helps them out*, he, too, may expect like treatment. We shall see—

They undertook to carry their case by a "general storm"—by a malicious onslaught upon the reputation of a poor, widowed woman, whose husband had been sacrificed in the defence of our country. That war which made her a widow, and bequeathed to her poverty and toil, has poured great wealth into the coffers of the "Tribune Company;" and yet they seek by lies, bribery, villainy and coercion to ruin the widow of a noble and gallant soldier. To what depths of villainy will a little wealth bring some minds?

There are many individuals in our community who have been crushed down, and are now groaning beneath the odium and slander heaped upon them by this same "Tribune Company." It may be that we have no rights left us—domestic, social, political or religious, which they are bound to respect. It may be, that these corporators have the undeniable right to invade and demolish every interest we possess as citizens, and to finally traduce and assail, with libelous and slanderous articles, our private reputations and that of our families. It may be they have the right to attack us in our business enterprises, and perpetrate slanders and falsehoods that would render us ludicrous and odious to our neighbors, friends and the community at large. We may not have the power to legally redress our wrongs, or to prevent them from a continuance of their malignity. It may be that we shall be compelled

to leave a country and community where we have lived for years, in order to free ourselves from the vandalism of this great "Tribune corporation." All these things may be, and may be possible; but I have much faith that public opinion will not consent to a wholesale transfer of all its interests to the keeping of any particular corporation, nor will it consent to place the character and reputation of its individual members in the hands of any editor of a public journal, who has the power to promulgate a libel or slander just in proportion to the extent of his circulation.

The theory that the editor of a public newspaper has any more exclusive privilege to assail the private reputation of individuals than any other person, is absurd, and the theory has no foundation in law or equity. The husband may awake any morning to find that the "*negligence*," stupidity or malice, of some editor of a newspaper, has penned a slanderous article that speaks with thousands of tongues through the whole length and breadth of the land, and has blighted and forever destroyed the fame and character of his wife, or his daughter; and even though he may retract in the most humble and penitent manner, the terrible wound he has made cannot be healed—thousands of eyes which have read the slander may never read the retraction. The stereotyped plea of "*ignorance and mistake*," is only a perfumed lotion to bathe the corse of a murdered character and reputation. It is the blow of the assassin in the dark, without notice for defence or warning to beware; and if innocence falls beneath the blow, he puts in the coward's and villain's plea, of "*no intended malice*." The professional slanderer is a villainous and poisonous compound of all the vices, corruptions and villainies that human flesh is heir to. He is the "*foulest whelp of sin*." Of all the crimes in the catalogue, there is not one deserving of more dire and terrible punishment, than the crime of slander. The thief may take

from you your gold—the incendiary may fire your house—the brutal man may bruise and maim you—the assassin may take your life—but they all leave you your character and your good name.

The time will never be, if you wait until the millenium comes, when the real man will lie supinely down and writhe beneath the cowardly lash of the slanderer, and let him go unwhipped of justice or unavenged by force; legislators may legislate—judges may construe and instruct—juries may decide, and lawyers may throw around the slanderer a multitude of technical robes to hide his cowardice and villainy, but the injured man or woman will seek the scoundrel through all these barriers, and revenge their wrongs; and until humanity is lost to all sense of honor, pride, self-protection and self-respect, can you hope to see the libeller go unpunished. He who utters a slander orally, may be credited with having the courage to personally meet the responsibility of his own acts, and the slander may only reach the limited circle of his personal acquaintances; but he who shuts himself up within his closet, and deliberately writes his foul lies, and then feeds them to the press to be multiplied and circulated by tens of thousands, within an hour's space, over the entire country, and then like a base coward shrinks back and takes refuge behind his editorial screen, is only fit to be the thing he is—a cowardly slanderer; and he can but expect to meet that retributive justice which will surely overtake him.

It is a fearful fact that a certain class of unprincipled editors and conductors of public journals, make it their policy to suborn every public, local or individual interest to their caprice or profit. Every business man is liable to the venom of their personal malice, unless he pays tribute to their avarice. Theaters, concerts, festivals, railroads, and all public gatherings where honest men pay, they ex-

pect the "*pound of flesh*," and they get it, upon the same principle that you throw carrion to the hungry wolf to keep him from your fold. They aim to suborn the police department of your city, from Superintendent to the single patrolman; the judge upon his bench—the juryman in his seat—the minister in his pulpit—the poor and virtuous woman at her already impoverished fireside—all must pay tribute to this class of vicious and slandering mammons.

This they term "*the liberty of the press*." May Providence and the good angels rescue the people from such a "liberty" as this. In this case, so far, the people have peered through the cloud of lies and slanders they have uttered, and discovered the true intent of these assassins of private character; and a jury of honest and true-hearted men, patiently and impartially weighed every word of evidence, and pronounced their honest conviction, in a verdict of "Guilty." If any honest man wants further proof of their villainy, corruption and determination to suborn and brow-beat every person to their use, all they have to do is to read the malicious and low-bred attacks upon the jury the morning after the verdict. It is not common for public journals to make sweeping and gross attacks upon courts and juries, accusing them of venality and malice, even in cases of the most profound public interest, much less where the point at issue is only personal and local. This shows what they will do if they have the power. They would crush down, and heap infamy upon the head of any citizen against whom they chanced to get a spite, political or personal.

There is not a member of the jury who pronounced them guilty, who can expect to escape their malice, whenever an opportunity offers for an attack.

Liberty of the press, indeed! Liberty to crush down all barriers, and like some armed desperado, break in upon

the sacredness of the domestic circle, and scatter every holy tie that binds heart to home. Liberty to assail and impeach the chastity of your wives and your daughters. Liberty to assail you in character or business. Liberty to hold you up in effigy before the gaze of the world, labelled all over with their foul slanders and lies. Liberty to do all these things, and why? Simply because they claim to wear the *charmed mantle of an editor*. It is more potent and powerful than the "charmed ring of Alladin." He who covers himself with its charmed folds may revel in security from the penalties of the law or the anger of his foes—the judgment of courts, the verdicts of juries, the majesty of the law—all fall impotent at the feet of this sacredly-clothed imperial libeler. This is just as the profound editors of the great *Tribune* company would like to have things fixed. This would be their millenium; this would be their "Elysium upon earth." They desire to have the sole keeping of the public and private morals of the people, the individual character of our sons, wives and daughters must be deposited with the *Tribune* company for safe keeping, with *Sid. Smith* and *Wirt Dexter* moral attorneys for the concern, and policeman *Garrity* as general detective.

There appears to be a Corsican affinity which cements this bodyless, soulless concern together. What is it? Stock, dividends, mutual malice! and a chronic avarice. This is the fuel that feeds this great libeling machine that asks the people to "protect the liberty of the press," to protect them in demolishing your homes; protect them in ruining your business; protect them in perpetrating base assaults upon everything you hold near and dear in life. Protect them in their arrogance and assumptions of power over every private and public interest. Protect them, in fact, in the right to ruin that which every noble mind holds dearer, far dearer, than life—your good name.

This is all they ask of you. Will you grant it? If you do, don't cringe beneath the lash when you become the victim and the slave. Whenever the people are so far lost to their own welfare and self respect, as to quit-claim their manhood and the virtue of their families to the keeping of a few unscrupulous adventurers, of any particular profession, then they are indeed ripe for a condition of servitude and serfdom that would make the cheek of even a Turkish eunuch blanch with shame.

If there is any one thing that a man holds dearer in life than another, it is the sacred precincts of his domestic circle — his earthly altar — the sacred spot where his whole life is centered, for which he puts forth his ambition to adorn and beautify, where all his joys and hopes in life are mingled in peace and love. This is the perfect home, and if ever clouds appear to darken the lovely spot, let no vandal hand presume to cast upon the hearthstone of this home other elements of discord to widen the breach and farther sunder hearts that might be one again. He who does it is but the LAGO who stealthily and viciously bathes his soul in the blood of murdered peace and love. Such is the slanderer, and truly it is said that —

"The man

In whom this spirit entered was undone.
His tongue was set on fire of hell, his heart
Was black as death, his legs were faint with haste
To propagate the lie his soul had framed.
His pillow was the peace of families
Destroyed, the sigh of innocence reproached,
Broken friendships, and the strife of brotherhoods;
Yet did he spare his sleep, and hear the clock
Number the midnight watches on his bed,
Devising mischief more; and early rose
And made most hellish meals of good men's names.
From door to door you might have seen him speed,
Or placed amidst a group of gaping fools,
And whispering in their ears with his foul lips.
Peace fled the neighborhood in which he made
His haunts; and like a moral pestilence,
Before his breath the healthy shoots and blooms
Of social joy and happiness decayed."

The Tribune in its famous leader of January 1st, headed "MALICIOUS VERDICT," takes occasion to say, that "*The verdict of the jury will not arrest the publication of the Tribune.*" The Tribune folks may also learn to understand that such base slanders and abuse will not be likely to *arrest such verdicts of jurors*. The people are beginning to realize the fact, that each individual member of society is the absolute owner of a sacred spot, where the slanderer must not put his foot with impunity.

I have thought that I would not refer to the low-bred abuse and billingsgate attacks of the Tribune attorneys, but reflection prompts me to give them a passing notice. These gentlemen (if they can be termed as such) very well understand that their vocation, while inside the "*Bar*," permits them to tread upon "*privileged ground*," and they indulge in language that neither one of them *dare utter* outside the precincts of the Bar. Mr. Dexter has recently made some pretensions to respectability, and claims to occupy a prominent position in society; but I desire to impress upon him the fact, that men, with more fame than he possesses, have lost it with a breath.

Mr. Smith, I understand, in a *moral point* of view, cannot be further *reproached*, and he will probably some day ascertain "*Who is*"

A. C. ELLITHORPE.

Mr. Kinnel, I understand in a letter of yours, was
not to further a review, and it will probably come in
concerning it, this is

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